

Transportation Committee

Senator Ron Gould, Chairman



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TRANSPORTATION COMMITTEE

LEGISLATION ENACTED

gold star family license plates (NOW: special license plates) (S.B. 1083) – Chapter 257

Requires the Arizona Department of Transportation to issue the Gold Star Family special plate and the Arizona Professional Basketball Club special plate if a charitable organization affiliated with an Arizona professional basketball club donates the monies necessary to implement both plates. Establishes a subaccount in the Veteran's Donation Fund for the deposit of monies received through the sale of the Gold Star Family special plate and dedicates revenue generated through the sale of the plate for the benefit of any immediate family member of a person who died while on active duty in the United States military.

automobile theft authority; public records (S.B. 1156) – Chapter 188

Specifies that any personal or vehicle information that is voluntarily submitted to the Arizona Automobile Theft Authority (ATA) or disseminated by the ATA to another state agency as part of a program designed to reduce automobile theft is not a public record and is not subject to disclosure. Provides an exemption for information used for statistical purposes that is released in aggregate form.

salvage title; stolen vehicle title (S.B. 1165) – Chapter 258

Establishes the stolen vehicle certificate of title and allows the Arizona Department of Transportation's (ADOT) Motor Vehicle Division to issue a stolen vehicle certificate of title to vehicles that have been stolen and, in some cases, not recovered. Allows an insurance company to submit an application to ADOT for a salvage certificate of title, stolen vehicle certificate of title or nonrepairable vehicle certificate of title if the insurance company is unable to obtain a properly endorsed certificate of title or lien satisfaction, if applicable, within 30 days of oral or written acceptance by the owner of an offer in settlement of total loss.

funeral escort vehicles (NOW: user fee; off-highway vehicles) (S.B. 1167) – Chapter 294

SEE NATURAL RESOURCES AND RURAL AFFAIRS COMMITTEE.

nursing programs; jurisdiction (NOW: exemption; nursing assistant programs) (S.B. 1431) – Chapter 211

SEE HEALTH COMMITTEE.

rest area privatization; state highways (S.B. 1466) – Chapter 283

Allows the Arizona Department of Transportation (ADOT) to privatize any rest area constructed on a state highway on or after the effective date of the legislation and specifies required provisions to be included in any agreement between a person and ADOT for rest area privatization.

ADOT continuation; five years (S.B. 1468) – Chapter 90

Retroactive to July 1, 2008, the Arizona Department of Transportation is continued until July 1, 2016.

logo sign programs; ADOT (S.B. 1473) – Chapter 33

Allows 24-hour pharmacies to advertise on highway logo signs and allows the Arizona Department of Transportation to enter into revenue sharing agreements with a third party to install and maintain highway logo signs.

Hashknife pony express memorial trail (S.J.R. 1001)

Recognizes certain state roadways as the route used by the Hashknife Pony Express and requires the Arizona Department of Transportation to work with the Hashknife Pony Express Posse on the design and placement of signs identifying the historic route.

traffic survival school; maximum enrollment (H.B. 2003) – Chapter 18

Limits the enrollment in a traffic survival school training and educational session to the fire safety capacity of the facility in which the class meets.

Arizona highways special plates (H.B. 2046) – Chapter 93

Creates the Arizona Highways special plate and requires the Arizona Department of Transportation (ADOT) to issue the In God We Trust special plate if an entity provides ADOT with the necessary monies to implement the plate.

aviation; aircraft registration; dealer bond (H.B. 2048) – Chapter 175

Removes the requirement that the Director of the Arizona Department of Transportation contract to obtain air search and rescue services and exempts the federal government from aircraft registration requirements.

motor carrier safety; vehicle equipment (H.B. 2088) – Chapter 142

Conforms motor carrier hours of operation and vehicle safety and equipment regulations to federal motor carrier safety regulations.

school crossings (H.B. 2093) – Chapter 143

Specifies that the civil penalty is doubled for a traffic violation committed in a school crossing only when portable school crossing signs indicating “school in session,” “stop when children are in crosswalk” and “civil penalty will be doubled” are present. Requires the court to collect the additional assessment at the same time the court collects the civil penalty.

highway project advancement notes (H.B. 2094) – Chapter 299

Authorizes counties, in addition to cities and towns, to sell or issue Highway Project Advancement Notes (HPANs). Extends HPANs’ terms from 5 years or less to 15 years or less and prohibits a city, town or county from having more than \$300 million, rather than \$100 million,

aggregate principal amount of HPANs outstanding at any one time. Beginning in FY 2006-2007, allows monies in the Statewide Transportation Acceleration Needs Account to be used to pay interest costs resulting from bonds, loans, notes or other obligations issued or incurred or advances made by or on behalf of a city, town or county.

transportation districts (H.B. 2133) – Chapter 157

Requires a new transportation district (district) consisting of a single county to be formed if, after January 1, 2009, a county attains a population of 500,000 or more persons and removes the county from the district to which it belonged prior to the new district being formed. Requires the Governor to appoint a new member to the State Transportation Board for the new district.

railroad sites; review (NOW: railroad projects; review) (H.B. 2156) – Chapter 284 W/O

Retroactive to January 1, 2008, requires a railroad, if a railroad has identified a route or site for a major rail project, to provide the Arizona Department of Transportation (ADOT) a full disclosure of specified information regarding the identified route or major rail project. Requires ADOT to hold public hearings pertaining to the information provided by the railroad and prohibits the railroad from commencing any eminent domain proceeding until after the public hearings and review process. Establishes the Railroad Review Fund consisting of fees collected by ADOT for reviewing information provided by the railroad. Requires the Director of ADOT to establish a Freight Advisory Council to advise ADOT regarding freight system issues, infrastructure and planning in this state.

vehicle title; registration; electronic signatures (H.B. 2169) – Chapter 177

Continues the Electronic Certificates of Title System and requires the Director of the Arizona Department of Transportation (ADOT), in cooperation with a statewide association of franchised new motor vehicle dealers, to establish a schedule to develop a pilot program to accept and use electronic or digital signatures. Requires the Director of ADOT to adopt policies necessary to implement the pilot program. Allows the Director of ADOT to establish an electronic title system to issue valid electronic dismantle certificates of title.

military procession right of way (NOW: right-of-way; military procession (H.B. 2249) – Chapter 99

Specifies additional requirements for funeral escort vehicles and funeral escort vehicle drivers. Grants a military procession that is led by a military escort vehicle the same right-of-way privileges as a funeral procession and allows the sheriff to certify any person as a funeral or military escort vehicle driver.

commercial motor vehicles; trailers (H.B. 2355) – Chapter 147

Conforms the definition of a commercial motor vehicle to federal law and requires the Arizona Department of Transportation and the Department of Public Safety to develop easily understandable publications of the laws and regulations relating to commercial and noncommercial motor vehicles, trailers and vehicle combinations on the website of each agency no later than January 1, 2009.

historic trucks; use fuel taxes (H.B. 2357) – Chapter 51

Requires a use class vehicle to pay the use fuel tax rate for a light class motor vehicle if the vehicle is a truck and is at least 25 years old, has been issued a historic vehicle license plate and is not used as a commercial vehicle.

overdimensional permit and towing council (NOW: towing advisory council; repeal) (H.B. 2403) – Chapter 249

Repeals the Motor Vehicle Towing Advisory Council.

appeals; technical correction (NOW: MVD; authorized third party fees) (H.B. 2445) – Chapter 253

Modifies various amounts the Arizona Department of Transportation (ADOT) must reimburse an authorized third party or third party electronic service provider for services provided to ADOT, including the maximum annual amount retained for each fuel tax report filed electronically.

defensive driving schools (NOW: certified defensive driving schools; notice) (H.B. 2488) – Chapter 39

Allows an eligible individual to attend any defensive driving school that is certified by the Supreme Court and complies with court automation and reporting requirements and prohibits the court from favoring any certified defensive driving school over another.

driver licenses; document of gift (H.B. 2671) – Chapter 250 E

Effective June 2, 2008, outlines the steps necessary to allow an organ procurement organization (OPO) to validate an executed document of gift that is transferred to the OPO from the Arizona Department of Transportation.

REAL ID act; implementation prohibited (H.B. 2677) – Chapter 272

Prohibits Arizona from implementing the REAL ID Act.

vehicle equipment; splash guards (H.B. 2680) – Chapter 47

Exempts pickup trucks with a manufacturer's gross vehicle weight rating of 10,000 pounds or less and certain tandem or triple axle trailers from rear fender splash guard requirements.

vehicles; nonresident purchasers; tax liability (H.B. 2732) – Chapter 246

Retroactive to August 25, 2004, requires the Department of Revenue to prescribe forms to establish satisfaction of the criteria necessary to qualify the sale of a motor vehicle to a nonresident for the applicable deductions from Arizona's sales tax and transaction privilege tax. Outlines the information a motor vehicle dealer must retain in order to establish a person's entitlement to the deductions and specifies that if the nonresident purchaser cannot establish the accuracy and completeness of the information that the purchaser is liable in an amount equal to any tax, penalty and interest that the motor vehicle dealer would have been required to pay. Specifies the information a nonresident purchaser must provide to the Arizona Department of Transportation (ADOT), an authorized third party or a dealer in order to obtain a special 90-day nonresident registration permit.

Categorizes a person who is registered to vote in this state as a resident for vehicle and registration purposes. Allows a certificate of title, at the request of the owner and on payment of a fee prescribed by ADOT, to contain, by attachment, a transfer on death provision where the owner may designate a beneficiary of a title.